



Department of Consumer Protection

At a Glance

JERRY FARRELL, JR., Commissioner

Jackie Gorsky Mandyck, Deputy Commissioner

Established – 1959

Statutory authority - CGS Chap. 416, Section 21a-1

Central office - 165 Capitol Avenue,

Hartford, CT 06106

Number of employees - 159 (All Funds)

Recurring operating expenses - \$14,543,965

General Fund Revenue in 2010 \$35,596,060

Transportation Fund Revenue: \$1,100,780

Organizational structure –

Office of the Commissioner; Regulation of Food & Standards; Regulation of Drugs, Cosmetics & Medical Devices; Regulation of Alcoholic Liquor; Regulation of Occupational & Professional Licensing; Regulation of Trade Practices; Regulation of Public Charities; License Services Division; Legal Services Office; Communications & Consumer Education Office; Administrative & Accounting Services Office; Technical Systems Unit

Mission

The mission of the Department of Consumer Protection is to ensure a fair and equitable marketplace as well as safe products and services for consumers in the industries that it regulates.

Statutory Responsibility

The Department of Consumer Protection is a regulatory agency responsible for protecting citizens from physical injury and financial loss that may occur as the result of unsafe or fraudulent products and services marketed in the State of Connecticut. The extent of the department's regulatory oversight is unique among state agencies since its jurisdiction frequently dovetails that of other Connecticut state agencies. The Department is responsible for enforcing numerous significant consumer protection laws including the Connecticut Unfair Trade Practices Act, the Connecticut Pure Food, Drug & Cosmetic Act, the Connecticut State Child Protection Act, the Liquor Control Act, and the Connecticut Weights & Measures Act. The agency remains vigilant against unexpected, as well as ongoing, health, safety and product-related problems. The Department of Consumer Protection must be able to mobilize staff at any time in order to respond quickly and effectively to a food, drug, product safety or economic crisis affecting Connecticut's marketplace or citizens.

Public Service

The economic downturn in Connecticut and the nation led to increased restrictions on spending and a reevaluation of priorities among all facets of society and at all levels of government. The Department of Consumer Protection fully cooperated with legislative and executive directives to enact and enforce cost savings measures throughout the year. Despite a reduction of ten full-time staff through retirement or attrition and a sustained effort to decrease expenditures, in 2009 – 2010 the Department of Consumer Protection:

- Enhanced enforcement of all consumer protection laws by promoting effective resolutions with persons and establishments regulated by the Department. These initiatives included the issuance of 15 subpoenas, 15 stipulations, and two declaratory rulings, preparation of 385 legal settlement agreements, 433 Assurances of Voluntary Compliance, 98 formal administrative complaint notices, and 95 Memoranda of Decision. Approximately 342 home improvement and 39 new home construction Guaranty Fund applications were processed, and 879 compliance meetings and approximately 85 formal hearings were held.
- Responded to 21 traffic and highway accidents involving food and beverage products in order to ensure that contaminated/adulterated foods were not distributed to the public.
- Monitored the compliance agreements of pharmacists currently in a probation program due to drug addiction and oversaw compliance of various police departments' canine labs.
- Provided training to law enforcement officers, liquor retailers, public officials, and community members in strategies to deter access of alcoholic liquor to underage persons.
- Inspected retailers to identify unsafe children's products. One inspection led to a Connecticut and national recall of a toy box sold at a major discount store chain that posed a lead paint hazard.
- Informed and educated the public by issuing and posting online 124 press releases on numerous toy and children's product recalls, unregistered home improvement contractors, unlawful sales of alcohol to minors, food recalls, local scam warnings, arrests of unlicensed occupational workers, and announcements of public service events.
- Collaborated with the Department of Public Health and the U.S. Food and Drug Administration to Organize and offer a Food-Borne Illness Investigation program to educate State agencies and local health departments and about the roles and responsibilities at all levels of government in food- borne illness investigations.
- Continued operation and implemented upgrades of the Prescription Monitoring Program (PMP) which protects the health and safety of the public by allowing prescribers and pharmacists to access a patient's prescription history to help identify patterns of misuse, diversion and/or abuse. Law enforcement and regulatory personnel also have access to the program to assist them when investigating cases related to doctor shopping, pharmacy shopping and fraudulent activity. In total, the program provided training to more than 6,000 prescribers, pharmacists and law enforcement officers, to assist them in identifying narcotic drugs and signs of drug abuse.
- Conducted an undercover sting operation to review compliance with state business practices of 140 businesses engaged in home improvement, in-home companion services and locksmith services.
- Helped prevent identity theft by providing two free bulk document shredding events to the public in conjunction with an informational campaign.
- Participated in fifteen (15) major food recalls through an agreement with the USDA, helping to halt the threat of food-related illness.
- Collaborated with local health departments, water departments and health care facilities to offer 30 free community events statewide to collect and dispose of outdated and unwanted medications. Events promoted drug safety in the home, including prevention of prescription drug abuse, and educated residents about the environmental impact of improper drug disposal.

- Provided monetary restitution to consumers who were financially damaged in the areas of new home construction, home improvement, health club membership, and real estate. Payouts to consumers in Fiscal Year 2010 included: \$2,787,454 from The Home Improvement Guaranty Fund, up 5% from the prior year; \$991,935 from the New-Home Construction Guaranty Fund, an increase of 35.8% from Fiscal Year 2009; \$34,657 from the Real Estate Guaranty Fund; and \$47,021 paid to 269 consumers from the Health Club Guaranty Fund. In addition, in FY 2010, the Guaranty Funds collectively contributed a total of \$328,768 to the State's General Fund.
- Produced and posted online ten informational video programs advising consumers on how to save money and shop wisely for goods and services.
- Conducted a multi-state seafood fraud investigation on over-glazing of frozen seafood, resulting in increased public and industry awareness, and \$40,000 in fines paid to the State.
- Trained more than 2,900 law enforcement officers, pharmacists and health care providers to assist them in identifying narcotic drugs and the signs of drug abuse, as well as in preventing prescription errors.
- Provided staff and speakers for 142 professional and community programs, conferences and seminars. Audiences reached included food sanitarians, home builders, home improvement professionals, homeowners, professional trades groups, business leaders, local community groups, senior citizens and students.
- Collaborated with local law enforcement to prevent false claims and unlawful solicitation by chimney cleaning companies.
- Engaged state and local media in more than 150 interviews and press events to educate and disseminate news on consumer protection issues and efforts.
- Assisted the Food and Drug Administration in disseminating drug recall notices to prescribers, pharmacists and pharmacies.
- Responded to more than 37,000 consumer calls and 9,000 written consumer complaints, and utilized the Connecticut Unfair Trade Practices Act to combat pervasive scams being perpetuated in the Connecticut market place.
- Assisted the Department of Public Health in the storage and dissemination of strategic medication, including the initial and secondary distribution of H1N1 vaccine.
- Ordered restitution of \$1,346,000 to consumers for vehicle replacement through "lemon law" arbitration hearings.
- Conducted investigations into the diversion of controlled substances from pharmacies and healthcare facilities by medical professionals and paramedical professionals, and investigated prescription errors in the retail pharmacy environment. In collaboration with the federal Drug Enforcement Administration and the Food and Drug Administration, investigated sales and distribution of nutritional food supplements suspected of containing prescription drugs, including controlled substances.

Improvements/Achievements 2009 – 2010

During Fiscal 2009 – 2010, the Department of Consumer Protection:

- Conducted 800 alcohol compliance checks throughout the State (an increase of 6% over 2008-2009) in partnership with local and state law enforcement officers and youths provided by the Connecticut Coalition to Stop Underage Drinking in order to enhance enforcement of underage drinking laws. A total of 172 of the checked stores failed by selling alcoholic liquor to a minor and, as a result, violators face fines and possible suspensions of their permits.
- Sought and was awarded several federal and professional grants to fund the Prescription Monitoring Program and educational initiatives.
- Eliminated costly postage and paper processing, decreased renewal time and improved public information access by fully implementing a web-based licensing, renewal, roster and complaint reporting system, thus allowing licensees, businesses and consumers to get on-line renewal service and up-to-the minute information about all persons and businesses registered with or

licensed by the Department. Realized a 21% increase over FY 2009 in the number of online renewals and an 84% increase in the amount of revenue collected via online renewal.

- Initiated and maintained a social media presence to provide important consumer information at no cost to tech-savvy and younger audiences, and provided input to the Department of Informational Technology and other state agencies interested in creating a social media presence.
- Launched two statewide educational campaigns with funding obtained from the U.S. Department of Justice (DOJ) and the U.S. Department of Health and Human Services (HHS). One campaign instructed prescribers and pharmacists on how to use Connecticut's new prescription monitoring system; the second focused on increasing the general public's awareness of the dangers of over-the-counter (OTC) and prescription drug abuse, and proper storage and disposal of expired or unwanted medications. Both campaigns included television and radio public service announcements, print ads, posters and brochures. Nearly 300,000 brochures were printed and distributed within a three-month timeframe. All materials, including television and radio PSAs, were presented in English and Spanish to reach the largest number of Connecticut residents.
- Assisted the Departments of Public Health and Agriculture in utilizing the Department of Consumer Protection's web-based licensing system in order to allow their licensees to get on-line renewal service and to provide the public with up-to-the minute information about all persons and entities registered with or licensed by those two agencies.
- Populated and maintained the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.
- Established Memoranda of Understanding (MOUs) among Connecticut, Kentucky, Ohio and Rhode Island to share prescription drug data to allow prescribers, pharmacists and law enforcement (with restrictions) to access patients' controlled substance history reports in any of those states.

Information Reported as Required by State Statute

The Department of Consumer Protection is firmly committed to the principles and objectives of equal employment opportunity for all individuals. The Department's full-time Affirmative Action Officer Alicia Nunez coordinates and monitors the agency's programs and ensures compliance with the Americans with Disabilities Act, the Fair Employment Practices Act, state Affirmative Action regulations and Contract Compliance laws.

In Fiscal Year 2009-2010, 50 percent of the Department's employees were female and 50 percent were male, with the following composition: 71 percent white, 17 percent black, 8 percent Hispanic, 2 percent Asian and 2 percent Indian. The Department's Affirmative Action plan has been approved by the Connecticut Commission on Human Rights and Opportunities.